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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,)	CR. NO. S-05-113-LKK
)	
12 Plaintiff,)	PRELIMINARY ORDER OF
)	FORFEITURE RE: REAL AND
13 v.)	PERSONAL PROPERTY OF
)	DEFENDANTS SERGIO CURIEL,
14 SERGIO CURIEL, SR., and)	SR. AND CELINA CURIEL
CELINA CURIEL,)	
)	
15 Defendant.)	
16 _____)	

17 Based upon the plea agreements entered into between plaintiff
18 United States of America and defendants Sergio Curiel, Sr. and
19 Celina Curiel, it is hereby

20 ORDERED, ADJUDGED AND DECREED as follows:

21 1. Pursuant to 21 U.S.C. § 853(a), defendants Sergio Curiel,
22 Sr. and Celina Curiel's interest in the following property shall be
23 condemned and forfeited to the United States of America, to be
24 disposed of according to law:

25 a) Real property located at 2249 Somerset Drive,
Stockton, CA, APN: 171-280-41;

26 b) Real property located at 451 W. 9th Street, Stockton,
27 CA, APN: 165-183-19;

28 c) Approximately \$138,000.00 in U.S. Currency seized on

1 or about March 10, 2005 from Bank of Stockton Safe Deposit
2 Box #289;

3 d) Approximately \$75,000.00 in U.S. Currency seized from
4 a PT Cruiser, California License Number 5KAV268 at the
residence located at 2249 Somerset Avenue, Stockton,
California on or about March 10, 2005, and

5 e) Approximately \$923.00 in U.S. Currency seized from the
6 residence located at 2217 Somerset Drive, Stockton,
California on or about March 10, 2005.

7 2. The above-listed property constitutes, or is derived from,
8 proceeds obtained, directly or indirectly, or was used or intended
9 to be used, in any manner or part, to commit, or to facilitate the
10 commission of a violation of 21 U.S.C. §§ 841(a)(1) and/or
11 856(a)(2).

12 3. Pursuant to Rule 32.2(b), the Attorney General (or a
13 designee) shall be authorized to seize the above-described property.
14 That the aforementioned property shall be seized and held by the
15 United States Marshals Service, in its secure custody and control.

16 4. a. Pursuant to 21 U.S.C. § 853(n) and Local Rule 83-171,
17 the United States forthwith shall publish at least once for three
18 successive weeks in the Stockton Record (San Joaquin County), a
19 newspaper of general circulation located in the county in which the
20 above-described property is located or was seized, notice of this
21 Order, notice of the Attorney General's intent to dispose of the
22 property in such manner as the Attorney General may direct, and
23 notice that any person, other than the defendants, having or
24 claiming a legal interest in the above-listed property must file a
25 petition with the Court within thirty (30) days of the final
26 publication of the notice or of receipt of actual notice, whichever
27 is earlier.


28 b. This notice shall state that the petition shall be for

1 a hearing to adjudicate the validity of the petitioner's alleged
2 interest in the property, shall be signed by the petitioner under
3 penalty of perjury, and shall set forth the nature and extent of the
4 petitioner's right, title or interest in the property and any
5 additional facts supporting the petitioner's claim and the relief
6 sought.

7 c. The United States may also, to the extent practicable,
8 provide direct written notice to any person known to have alleged an
9 interest in the property that is the subject of the Order of
10 Forfeiture, as a substitute for published notice as to those persons
11 so notified.

12 5. If a petition is timely filed, upon adjudication of all
13 third-party interests, if any, this Court will enter a Final Order
14 of Forfeiture pursuant to 21 U.S.C. § 853(a) in which all interests
15 will be addressed.

16 SO ORDERED this 1st day of November, 2006.

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21 LAWRENCE K. KARLTON
22 SENIOR JUDGE
23 UNITED STATES DISTRICT COURT
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